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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,592	11/09/2001	Jouni Maki	017.40629X00	5969

20457 7590 12/09/2003

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EXAMINER

NGUYEN, DONGHAI D

ART UNIT	PAPER NUMBER
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3729

DATE MAILED: 12/09/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/986,592

Applicant(s)

MAKI ET AL.

Examiner

Donghai D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 31-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10, 31, 59-62 and 64 is/are rejected.
- 7) ☒ Claim(s) 31-64 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. The proposed reply filed on October 24, 2003 has been entered as Paper No. 7.
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### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --A METHOD OF MANUFACTURING A MOBILE ELECTRONIC DEVICE--.

### ***Claim Objections***

3. Claims 59, 61, 62, and 64 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 62 and 64 are identical, so are claims 59 and 61.
4. Claims 31-40 objected to because of the following informalities: "the phrase a mobile electronic devices" should be changed to --mobile electronic devices--. Appropriate correction is required.

*Claim Rejections - 35 USC § 112*

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 31-64 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claimed limitation “providing ... multiple types” (claim 31, lines 6-13 and claim 49, lines 7-17) was not described in the specification. The specification page 3, second paragraph and abstract disclose the engine assembly disposes in **either** monoblock cover **or** flip type cover **not both** in the method of manufacturing a electronic device.

7. Claims 31-64 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. One skill in the art does not understand how the common electronic components can be used for the monoblock and flip type covers, since the flip types cover has the detector switch mechanism (460, which does not use/need in the monoblock cover therefore not the same electronic components are used for both types of cover) to turn on/off the device. Furthermore, how the common software can be used for both types of cover, which have different electronic components.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 31-35, 37-53 and 55-64, as best as understood, are rejected under 35 U.S.C. 102(b) as anticipated by 5,867,140 to Rader.

Regarding claims 31 and 49, Rader discloses a mobile electronic device (Fig. 1) and a method of manufacturing mobile devices, the method comprising: providing common engine assemblies including electronic components and software contained therein; providing monoblock cover assemblies including a fixed front cover and a mating back cover, a flip type cover assemblies including a front cover having a hinged flip cover (104 or 108) and a mating back cover (Figs. 1-2); and disposing the engine assemblies within the monoblock cover assemblies, flip type cover assemblies.

Regarding claims 32-33 and 50-51, Rader discloses mounting a detector switch (202) on the flip cover and opposite pads (204) disposed on the engine assembly to detect whether or not the flip cover is open, the detector switch and pads are electrically connected to the engine assembly.

Regarding claims 34 and 52, Rader discloses detecting whether or not the hinged flip type cover of the flip cover is open and turning on one of the mobile electronic device only upon the detection that the hinged flip cover has been opened (Col. 3, lines 31-39).

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Regarding claims 35 and 53, Rader disclose a keypad disposed between the engine assembly and front cover.

Regarding claims 37-48 and 55-64, Rader discloses the mobile electronic device comprises a mobile telephone and a PDA (col. 59-67).

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***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 36 and 54, as best as understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Rader in view of US Patent 4,845,772 to Metroka et al.

Regarding claims 36 and 54, Rader discloses providing a keypad (110 or 104), except it does not dispose between the engine assembly and front cover of the flip type cover assemblies with the hinged flip cover covering the keypad upon being closed; however Metroka et al teach the keypad (100) disposed between the engine assembly and front cover of the flip type cover assemblies with the hinged flip cover covering the keypad upon being closed (Figs. 1-2) for protecting the keypad (Col. 3, lines 14-17). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Rader to have the keypad disposed between the engine assembly and front cover of the flip type cover assemblies with the hinged flip cover covering the keypad upon being closed as taught by Metroka et al for protecting the keypad.

*Response to Arguments*

12. Applicant's arguments with respect to claims 31-64 have been considered but are moot in view of the new ground(s) of rejection.

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*Conclusion*

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

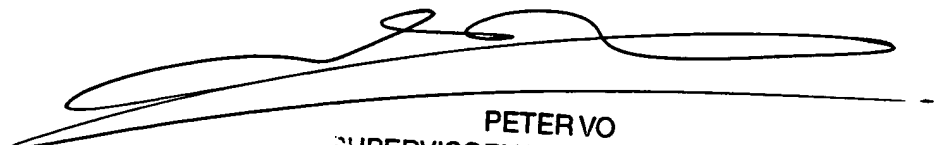
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donghai D. Nguyen whose telephone number is (703) 305-7859. The examiner can normally be reached on Monday-Friday (9:00-6:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter D. Vo can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

DN



PETER VO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700